



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/865,167

05/24/2001

Sunni K. Goeller

MSFT116243

2833

26389

7590

02/26/2004

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

IQBAL, NADEEM

ART UNIT

PAPER NUMBER

2114

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/865,167

Applicant(s)

GOELLER ET AL

Examiner

Nadeem Iqbal

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 27-40 is/are allowed.
- 6) ☒ Claim(s) 10-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-9, 27-40 are allowed.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
3. Claims 10-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kailash (U.S. Patent number 5951648).
4. As per claims 10 & 20, Kailash teaches (col. 2, lines 12-15) a method for reliably event delivery in a distributed event driven system in which one of more servers are each connected by a reliable communication transport system to a client station. He thus teaches to provide

Art Unit: 2114

electronic support from a server to a client. He also teaches (col. 2, lines 18-20) a client station acknowledges receipt of the event message at a client station transport protocol level. He thus teaches limitations pertains to monitoring the client for events requiring support. He also teaches (col. 2, lines 62-65) an event generator and an event receptor, sending an event message from the event generator to the event receptor on a reliable transport system. He thus teaches limitations gathering data associated with the event, generating a message, transmitting the message to the server. He does not explicitly disclose receiving a response formulated by a server responding to the event data transmitted to the server. He teaches (col. 2, lines 65-66) delivering and acknowledging receipt of the event at an event receptor's reliable transport system protocol driver level. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to realize that He would receive a response formulated by a server responding to the event, since He teaches delivering and acknowledging receipt of the event at an event receptor's reliable transport system protocol driver level, thus would receive a response formulated by a server as claimed.

5. As per claim 11, Kailash teaches (col. 2, lines 12-15) a method for reliably event delivery in a distributed event driven system in which one of more servers are each connected by a reliable communication transport system to a client station. He thus clearly provides support for group of events consisting of an error message, a kernel mode fault and other error messages and fault messages as listed in the claim.

6. As per claims 12-14, He teaches (col. 4, lines 20-23) an architecture of a typical application server 120 that includes server application software 121, message formatter, connector protocol drivers and transportation protocol drivers, therefore would clearly support a

Art Unit: 2114

computer readable medium containing computer-readable instructions executed by a computer performing the method of invention.

7. As per claims 15 & 16, It would have been obvious to a person of ordinary skill in the art to realize that the support would include a software update, since He teaches (col. 2, lines 46-48) a transport system protocol driver connected to the reliable transport system for requesting execution of an even by the client workstation by communicating event messages to the client workstation over the reliable transport system, thus would support that include software update.

8. As per claims 17 & 18, It would have been obvious to a person of ordinary skill in the art to realize that the support would include a change to the system settings, since He teaches (col. 2, lines 46-48) a transport system protocol driver connected to the reliable transport system for requesting execution of an even by the client workstation by communicating event messages to the client workstation over the reliable transport system, thus would support that include a change to the system settings.

9. As per claim 19, , It would have been obvious to a person of ordinary skill in the art to realize that the response would include instructions directing the user to an address of a resource on the internet, since He teaches (col. 2, lines 46-48) a transport system protocol driver connected to the reliable transport system for requesting execution of an even by the client workstation by communicating event messages to the client workstation over the reliable transport system, thus the response would include instructions directing the user to an address of a resource on the internet.

10. As per claim 21, He teaches (col. 4, lines 53-55) that the system making up client workstation may vary considerably and a highly specialized workstation may include memory

Art Unit: 2114

and graphics capabilities, and also can include graphic object displays. He thus would support a video display device.

11. As per claim 22, He teaches (col. 2, lines 46-48) a transport system protocol driver connected to the reliable transport system for requesting execution of an even by the client workstation by communicating event messages to the client workstation over the reliable transport system, thus the response would support electronic mail.

12. As per claims 23-25, He teaches (col. 8, lines 28-30) that in a secure reliable event delivery system, an additional confirmation in the typical client or server process is provided to assure system security, He thus would include support to obtain user authority to apply the support automatically.

13. As per claim 26, He teaches (col. 4, lines 20-23) an architecture of a typical application server 120 that includes server application software 121, message formatter, connector protocol drivers and transportation protocol drivers, therefore would clearly support a computer readable medium containing computer-readable instructions executed by a computer performing the method of the claim.

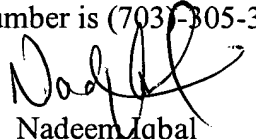
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadeem Iqbal whose telephone number is (703)-308-5228. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

Art Unit: 2114

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (703)-305-9713. The fax phone number for the organization where this application or proceeding is assigned is (703)-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.


Nadeem Iqbal
Primary Examiner
Art Unit 2114

NI